

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 13653 RUTLEDGE SPUR AND CHANGING THE  
3 ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO  
4 GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY  
5 (CS-MU-CO) COMBINING DISTRICT.  
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to  
10 change the base district from interim-rural residence (I-RR) district to general commercial  
11 services-mixed use-conditional overlay (CS-MU-CO) combining district on the property  
12 described in Zoning Case No. C14-2011-0022, on file at the Planning and Development  
13 Review Department, as follows:  
14

15 A 6.44 acre tract of land, more or less, out of the Rachel Saul Survey, Abstract No.  
16 551, in Williamson County, the tract of land being more particularly described by  
17 metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),  
18

19 locally known as 13653 Rutledge Spur, in the City of Austin, Williamson County, Texas,  
20 and generally identified in the map attached as Exhibit "B".  
21

22 PART 2. The Property within the boundaries of the conditional overlay combining district  
23 established by this ordinance is subject to the following conditions:  
24

25 A. A site plan or building permit for the Property may not be approved, released, or  
26 issued, if the completed development or uses of the Property, considered  
27 cumulatively with all existing or previously authorized development and uses,  
28 generate traffic that exceeds 2,000 trips per day.  
29

30 B. Development of the Property shall comply with warehouse limited office (W/LO)  
31 site development standards.  
32

33 C. The following uses are conditional uses of the Property:  
34

- |  |  |
|--|--|
| 35 Business or trade school                | Convenience storage                      |
| 36 Equipment repair services               | Exterminating services                   |
| 37 College & university facilities         | Community recreation (private)           |
| 38 Community recreation (public)           | Private secondary educational facilities |
| 39 Public secondary educational facilities | Telecommunication tower                  |

1  
2 D. The following uses are prohibited uses of the Property:  
3

- |    |                                    |  |
|----|------------------------------------|--|
| 4  | Agricultural sales & services      | Automotive rentals                     |
| 5  | Automotive repair services         | Automotive washing (of any type)       |
| 6  | Automotive sales                   | Bail bond services                     |
| 7  | Campground                         | Commercial blood plasma center         |
| 8  | Commercial off-street parking      | Consumer convenience services          |
| 9  | Consumer repair services           | Drop-off recycling collection facility |
| 10 | Equipment sales                    | Financial services                     |
| 11 | Food sales                         | Funeral services                       |
| 12 | General retail sales (convenience) | General retail sales (general)         |
| 13 | Hotel-motel                        | Indoor entertainment                   |
| 14 | Indoor sports & recreation         | Kennels                                |
| 15 | Laundry service                    | Medical office-exceeding 5000 sq. ft.  |
| 16 | Medical office-not exceeding 5000  | gross floor area:                      |
| 17 | sq. ft. gross floor area           | Monument retail sales                  |
| 18 | Off-site accessory parking         | Outdoor entertainment                  |
| 19 | Outdoor sports & recreation        | Pawn shop services                     |
| 20 | Personal improvement services      | Personal services                      |
| 21 | Pet service                        | Plant nursery                          |
| 22 | Professional office                | Research services                      |
| 23 | Restaurant (general)               | Restaurant (limited)                   |
| 24 | Service station                    | Software development                   |
| 25 | Theater                            | Vehicle storage                        |
| 26 | Veterinary services                | Congregate living                      |
| 27 | Guidance services                  | Hospital service (general)             |
| 28 | Hospital services (limited)        | Maintenance & service facilities       |
| 29 | Residential treatment              | Transitional housing                   |
| 30 | Transportation terminal            |  |

31  
32 Except as otherwise specifically restricted under this ordinance, the Property may be  
33 developed used in accordance with the regulations established for the general commercial  
34 services (CS) base district, the mixed use combining district, and other applicable  
35 requirements of the City Code.  
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**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2011.

**PASSED AND APPROVED**

\_\_\_\_\_, 2011      §  
   §  
   §

\_\_\_\_\_  
Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

Karen M. Kennard  
City Attorney

Shirley A. Gentry  
City Clerk



*Land Surveyors, Inc.*

8333 Cross Park Drive

Austin, Texas 78754

Office: 512.374.9722

Fax: 512.873-9743

EXHIBIT A  
METES AND BOUNDS DESCRIPTION

BEING 6.44 ACRES OF LAND OUT OF THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN WILLIAMSON COUNTY, TEXAS AND BEING COMPRISED OF THREE TRACTS: A 1.995 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2011004038 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; A 1.9980 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073893 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND A 2.448 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073894 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found for the southwest corner of said 1.995 acre tract, the northwest corner of a 2.51 acre tract of land conveyed to Franklin and Gloria Schirpik by instrument of record in Volume 638, Page 345 of the Deed Records of Williamson County, Texas and being in the east right-of-way line of County Road Number 183 (Rutledge Spur) as occupied;

THENCE North 18°43'59" West (record: North 18°51'30" West), along the west line of the 1.995 acre tract and said east right-of-way line of County Road Number 183 a distance of 208.74 feet (record: 208.94 feet) to a 1/2" rebar found for the northwest corner of the 1.995 acre tract, being the southwest corner of said 1.9980 acre tract, from which an iron pipe found for the northwest corner of the 1.995 acre tract and the southeast corner of the 1.9980 acre tract and being in the west line of an 18.66 acre tract of land conveyed to Koontz/McCombs I, Ltd. By instrument of record in Document Number 2006007775 of the Official Public Records of Williamson County, Texas and known therein as "Tract 3" bears North 73°59'28" East a distance of 417.04 feet (record: North 74°00'00" East a distance of 417.25 feet);

THENCE North 17°57'07" West (record: North 18°00'00" West), continuing along the east right-of-way line of County Road Number 183, as occupied and the west line of the 1.9980 acre tract a distance of 209.15 feet (record: 208.80 feet) to a 1/2" rebar found with plastic cap, which reads "BASELINE, INC." for the northwest corner of the 1.9980 acre tract and being in the south line of said 2.448 acre tract; from which a 1/2" rebar found for the northeast corner of the 1.9980 acre tract, a northwest corner of said 18.66 acre tract and being in the south line of the 2.448 acre tract bears North 74°06'16" East a distance of 417.27 feet (record: North 71°33'49" East a distance of 417.27 feet);

THENCE South 74°06'16" West along the south line of the 2.448 acre tract a distance of 27.10 feet (record: 27.10 feet) to a calculated point in the west right-of-way line of County Road Number 183, as occupied, from which a 1/2" rebar found bears North 30°51'39" West a distance of 1.64 feet;

THENCE along the west line of the 2.448 acre tract and the west right-of way line of County Road Number 183, as occupied the following two (2) courses:

1. North  $18^{\circ}11'31''$  West a distance of 204.68 feet (record: North  $20^{\circ}46'42''$  West a distance of 204.68 feet) to an iron pipe found;
2. North  $14^{\circ}55'47''$  West a distance of 62.05 feet (record: North  $17^{\circ}30'58''$  West a distance of 62.06 feet) to an iron pipe found for the northwest corner of the 2.448 acre tract and being in the curving south line of a 100-foot wide railroad right-of-way conveyed to Capital Metropolitan Transportation Authority by instrument of record in Volume 13187, Page 3118 of the Real Property Records of Travis County, Texas

THENCE along the north line of the 2.448 acre tract and the south line of said 100-foot wide railroad right-of-way the following four (4) courses:

1. along a non-tangential curve to the left, having a radius of 1987.89 feet (record: 1987.89 feet), a length of 54.09 feet (record: 54.09 feet), a delta angle of  $01^{\circ}33'32''$  (record:  $01^{\circ}33'32''$ ) and a chord, which bears South  $82^{\circ}00'15''$  East a distance of 54.09 feet (record: South  $84^{\circ}30'47''$  East a distance of 54.09 feet) to a 1/2" rebar found for a point of compound curvature;
2. along a compound curve to the left, having a radius of 2772.56 feet (record: 2772.56 feet), a length of 318.19 feet (record: 318.19 feet), a delta angle of  $06^{\circ}34'32''$  (record:  $06^{\circ}34'32''$ ) and a chord, which bears South  $87^{\circ}06'15''$  East a distance of 318.02 feet (record: South  $89^{\circ}36'47''$  East a distance of 318.02 feet) to a 1/2" rebar found with plastic cap, which reads "BASELINE, INC." for a point of compound curvature;
3. along a compound curve to the left, having a radius of 6457.70 feet (record: 6457.70 feet), a length of 280.70 feet (record: 280.50 feet), a delta angle of  $02^{\circ}29'26''$  (record:  $02^{\circ}29'19''$ ) and a chord, which bears North  $88^{\circ}25'23''$  East a distance of 280.68 feet (record: North  $85^{\circ}54'43''$  East a distance of 280.47 feet) to a 1/2" rebar found for a point of tangency;
4. North  $87^{\circ}15'56''$  East a distance of 260.02 feet (record: North  $84^{\circ}40'03''$  East a distance of 260.54 feet) to a 1/2" rebar found for the east corner of the 2.448 acre tract and being an angle point in the north line of the 18.66 acre tract;

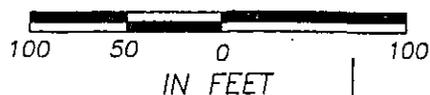
THENCE along the south line of the 2.448 acre tract and the north line of the 18.66 acre tract the following two (2) courses:

1. South  $71^{\circ}04'37''$  West a distance of 113.31 feet (record: South  $68^{\circ}34'10''$  West a distance of 113.36 feet) to a 60d nail found;
2. South  $72^{\circ}42'11''$  West a distance of 311.10 feet (record: South  $70^{\circ}10'44''$  West a distance of 311.08 feet) to a 1/2" rebar found for the herein previously referenced northeast corner of the 1.9980 acre tract, being the northwest corner of the 18.66 acre tract and being an angle point in the south line of the 2.448 acre tract;



SEE SHEET 5 FOR GEND  
AND CURVE TABLE

GRAPHIC SCALE



[N17°30'58"W]  
N14°55'47"W  
62.05'  
[62.06']

CAPITAL METROPOLITAN  
TRANSPORTATION AUTHORITY  
VOL. 13187, PG. 3118  
R.P.R.T.C.T.

MARK A. TOUNGATE &  
TERESA K. TOUNGATE  
2.448 AC.  
DOC. NO. 2008073894  
O.P.R.W.C.T.

[N71°33'49"E] [417.27']  
N74°06'16"E 444.37'

[S70°10'44"W]  
S72°42'11"W

SEE DETAIL "A"  
S74°06'16"W  
[S71°33'49"W]  
27.10'  
[27.10']

"BASELINE, INC."

417.27'  
{417.40}

311.10'  
[311.08']

MARK A. TOUNGATE &  
TERESA K. TOUNGATE  
1.9980 AC.  
DOC. NO. 2008073893  
O.P.R.W.C.T.

(N74°00'00"E)  
N73°59'28"E

417.04'  
(417.25')

MARK A. TOUNGATE &  
TERESA K. TOUNGATE  
1.995 AC.  
DOC. NO. 2011004038  
O.P.R.W.C.T.

{S18°00'00"E}  
S17°53'49"E  
208.32'  
{208.80}

(S18°06'00"E)  
S18°02'56"E  
209.54'  
(209.71')

KOONTZ/MCCOMBS 1, LTD  
18.66 AC. - "TRACT 3"  
DOC. NO. 2006007775  
O.P.R.W.C.T.

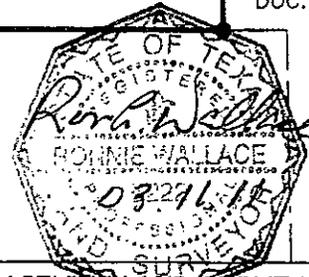
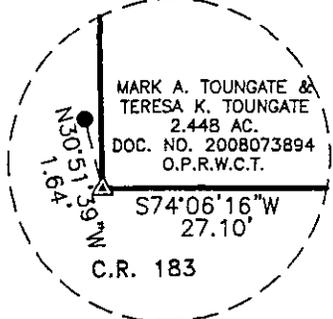
COUNTY ROAD NUMBER 183  
(RUTLEDGE SPUR)

POINT OF BEGINNING

S74°07'00"W 414.58'  
(S74°07'00"W) (414.50')  
(BASIS OF BEARINGS)

FRANKLIN & GLORIA SCHIRPIK  
2.51 AC.  
VOL. 638, PG. 345  
D.R.W.C.T.

DETAIL "A"  
(NOT TO SCALE)



SKETCH TO ACCOMPANY DESCRIPTION  
OF 6.44 ACRES OF LAND IN THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN  
WILLIAMSON COUNTY, TEXAS; BEING COMPRISED OF THREE TRACTS: A 1.995 ACRE  
TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF  
THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF  
RECORD IN DOCUMENT NUMBER 2011004038 OF THE OFFICIAL PUBLIC RECORDS OF  
WILLIAMSON COUNTY, TEXAS; A 1.9980 ACRE TRACT OF LAND CONVEYED TO MARK  
A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K.  
TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER  
2008073893 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS  
AND A 2.448 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K.  
TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST  
BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073894 OF THE OFFICIAL  
PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8333 CROSS PARK DRIVE  
AUSTIN, TEXAS 78754  
OFFICE: 512.374.9722 FAX: 512.873.9743  
ron-baseline@austin.rr.com

File: \Projects\Rutledge Spur\Zoning M&B.dwg	
Job No.	Snapshot: SY-ZONING MB
Scale (Hor.): 1"=100'	Scale (Vert.):
Date: 03/10/11	Checked By: JSL Drawn By: RLW

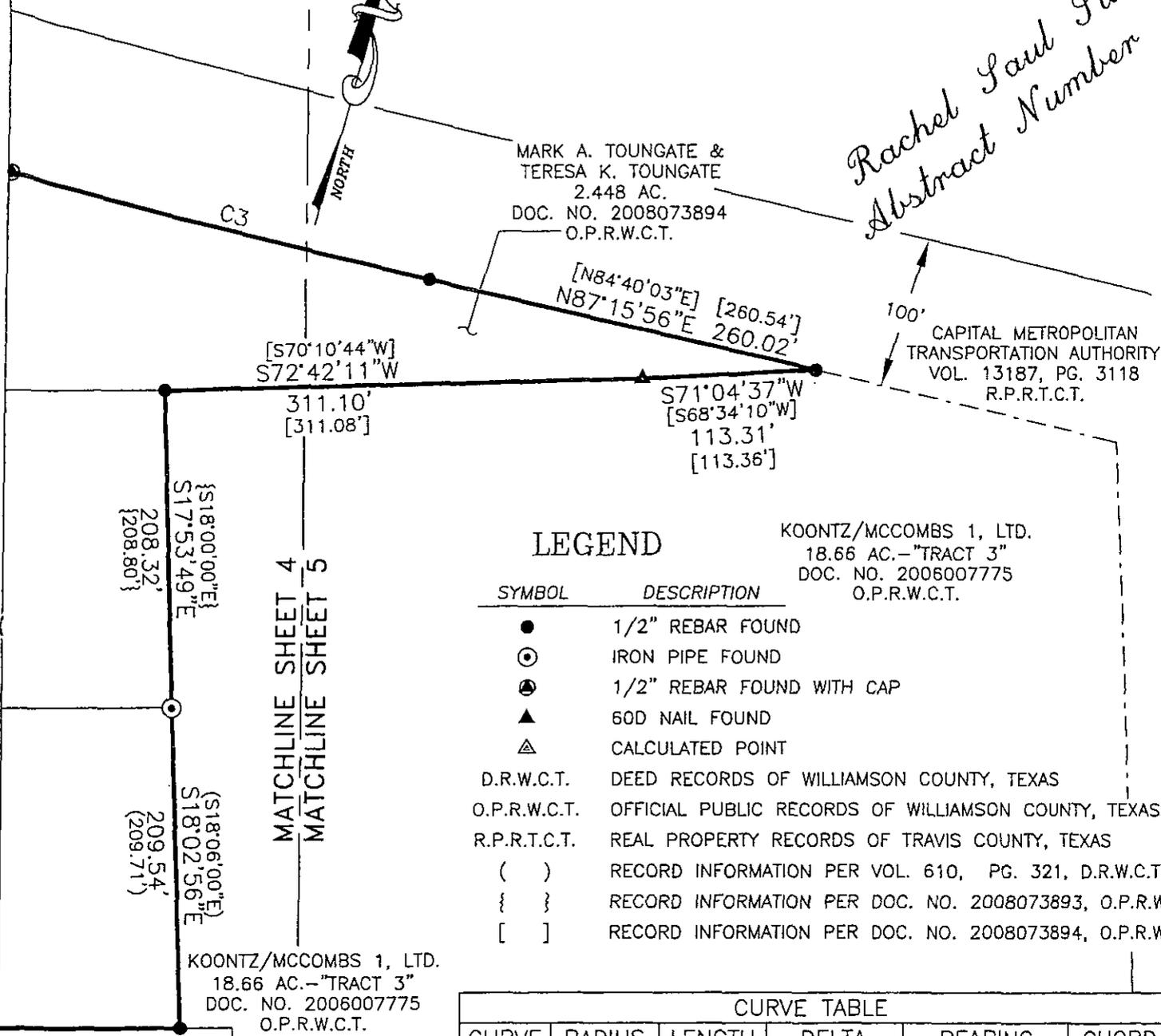
SHEET  
4 of 5

GRAPHIC SCALE



BEARING BASIS: THE SOUTH LINE OF THE 1.995 ACRE TRACT CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2011004038 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS BEING SOUTH 74°07'00" WEST, AS CITED THEREIN.

*Rachel Saul Survey  
Abstract Number 551*



LEGEND

SYMBOL	DESCRIPTION
●	1/2" REBAR FOUND
⊙	IRON PIPE FOUND
⊙	1/2" REBAR FOUND WITH CAP
▲	60D NAIL FOUND
△	CALCULATED POINT
D.R.W.C.T.	DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
( )	RECORD INFORMATION PER VOL. 610, PG. 321, D.R.W.C.T.
{ }	RECORD INFORMATION PER DOC. NO. 2008073893, O.P.R.W.C.T.
[ ]	RECORD INFORMATION PER DOC. NO. 2008073894, O.P.R.W.C.T.

CURVE TABLE

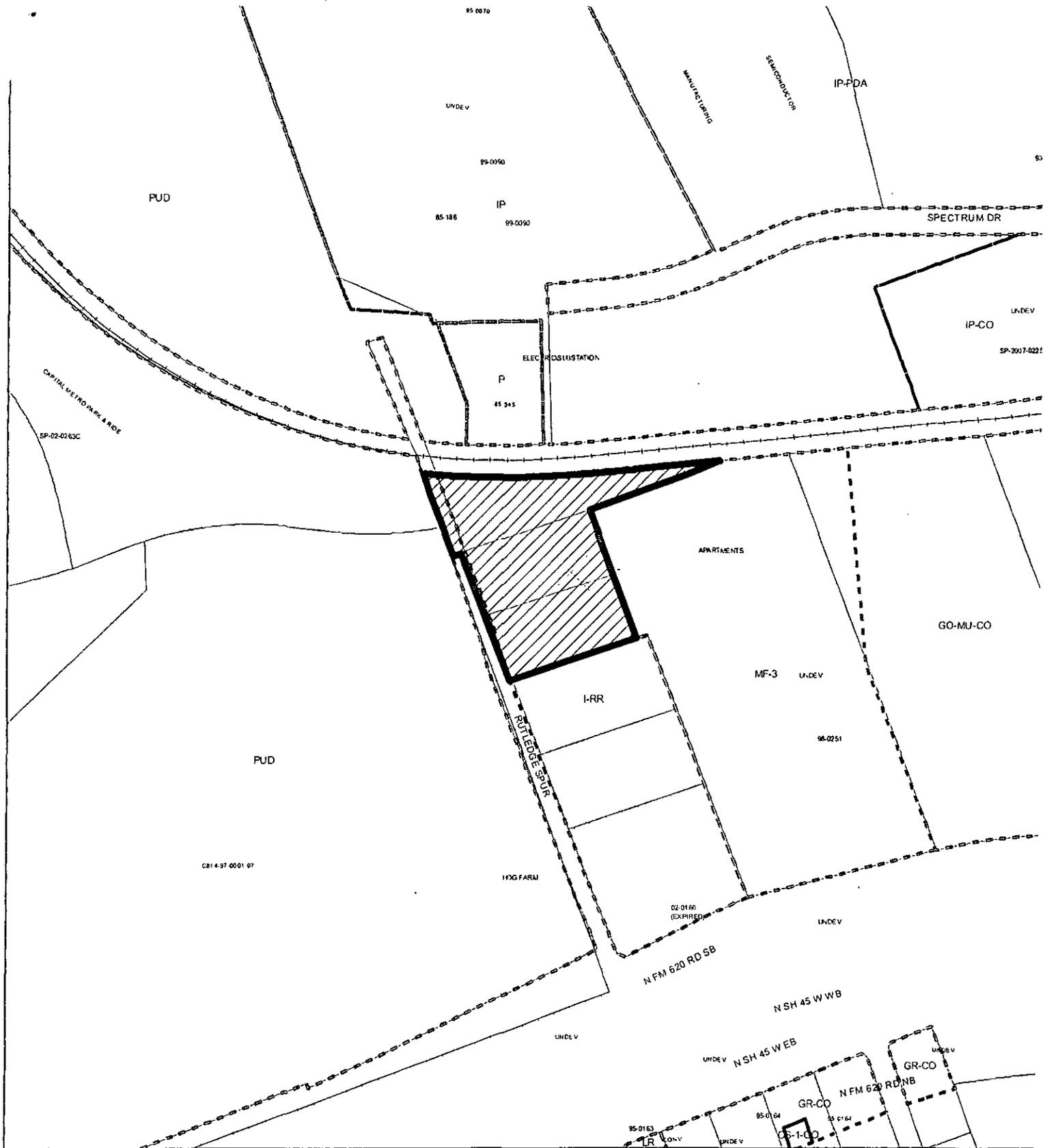
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	1987.89'	54.09'	1°33'32"	S82°00'15"E	54.09'
[C1]	1987.89'	54.09'	1°33'32"	S84°30'47"E	54.09'
C2	2772.56'	318.19'	6°34'32"	S87°06'15"E	318.02'
[C2]	2772.56'	318.19'	6°34'32"	S89°36'47"E	318.02'
C3	6457.70'	280.70'	2°29'26"	N88°25'23"E	280.68'
[C3]	6457.70'	280.50'	2°29'19"	N85°54'43"E	280.47'

SKETCH TO ACCOMPANY DESCRIPTION OF 6.44 ACRES OF LAND IN THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN WILLIAMSON COUNTY, TEXAS; BEING COMPRISED OF THREE TRACTS: A 1.995 ACRE ACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2011004038 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; A 1.9980 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073893 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND A 2.448 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073894 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES  
8333 CROSS PARK DRIVE  
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ron-baseline@austin.tx.com

File: [Projects]Rutledge Spur[Dwg]Zoning M&B.dwg	SHEET 5 of 5
Job No. Snapshot: SY-ZONING MB	
Scale (Hor.): 1"=100'	Scale (Vert.):
Date: 03/10/11	Checked By: JSL Drawn By: RLW



**ZONING EXHIBIT B**

ZONING CASE#: C14-2011-0022  
 LOCATION: 13653 RUTLEDGE SPUR  
 SUBJECT AREA: 6.44 ACRES  
 GRID: G40  
 MANAGER: SHERRI SIRWAITIS



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.